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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/767,483	01/23/2001	Masahiro Hashimoto	14236	3270

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GARDEN CITY, NY 11530

EXAMINER

KLIMACH, PAULA W

ART UNIT	PAPER NUMBER
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2135

4

DATE MAILED: 09/22/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/767,483

Applicant(s)

HASHIMOTO, MASAHIRO

Examiner

Paula W Klimach

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 23 January 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-8 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-8 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 2. | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bloom et al (6,332,194) in view of Ikeda et al (6,282,654 B1).

In reference to claims 1 and 5, Bloom discloses a method and system for watermark insertion (abstract) which comprises input digital image which comprises (column 3 line 66 to column 4 line 5) a first electronic watermark inserted therein and which has a first DCT (Discrete Cosine Transform) coefficient (column 4 line 65), an output digital image which comprises said first electronic watermark inserted therein (column 7 lines 23-25) and a second electronic watermark inserted subsequently to said first electronic watermark in said output digital image (column 7 lines 10-22 in combination with column 7 lines 46-47) and which has a second DCT coefficient (column 5 lines 3-5), said device comprising: a first DCT coefficient producing section (10) for producing said first DCT coefficient from said input digital image (column 7 lines 60-67); an electronic watermark detecting section (30) for detecting said first electronic watermark from said first DCT coefficient (column 8 lines 1-7) an electronic watermark inserting section (20) for inserting said second electronic watermark into said input digital image subsequently to said first electronic watermark and for producing said output digital image which comprises said second electronic watermark inserted subsequently to said first electronic

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watermark in said output digital image and which has said second DCT coefficient (column 6 lines 66-67 in combination with column 7 lines 10-58); a second DCT coefficient producing section (40) for producing said second DCT coefficient from said output digital image; and a DCT coefficient supplying section (50) for supplying said second DCT coefficient from said second DCT coefficient producing section to said electronic watermark detecting section (column 5 lines 1-5); said electronic watermark detecting section detecting, when supplied with said second DCT coefficient from said DCT coefficient supplying section, said second electronic watermark from said second DCT coefficient and producing a detection result representative of a detection intensity of said second electronic watermark to deliver said detection result to said electronic watermark inserting section (column 8 lines 1-7); said electronic watermark inserting section adjusting, in response to said detection intensity represented by said detection result, an insertion intensity of said second electronic watermark to be inserted into said input digital image (column 8 line 63 to column 9 line 14).

Although Bloom suggests that the second watermark is inserted to prevent anymore copying (column 7 lines 46-47) and therefore depends on the first watermark to know the current state of the data, Bloom does not expressly disclose producing a request for insertion of said second electronic watermark; in response to said request for insertion of the second electronic watermark, inserting the second watermark.

Ikeda discloses a system of recording and reproducing that includes inserting a second watermark where a first watermark was embedded if copying was allowed and therefore a request for insertion of the second watermark is sent when the first watermark indicates that copying is allowed (column 12 lines 19-48).

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At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to add a second watermark in response to a first one as in Ikeda in the system of Bloom. One of ordinary skill in the art would have been motivated to do this because the second watermark would be used to indicate the current state of the permissions for copies and the insertion of a second watermark does not destroy the first watermark..

In reference to claim 2, wherein: said input digital image is a digital image according to a MPEG (Moving Picture Experts Group) standard (column 6 lines 13-16).

In reference to claim 3, wherein: said DCT coefficient supplying section is a selecting section connected not only to said second DCT coefficient producing section but also to said first DCT coefficient producing section for selectively supplying said first DCT coefficient from said first DCT coefficient producing section to said electronic watermark detecting section initially and for selectively supplying said second DCT coefficient from said second DCT coefficient producing section to said electronic watermark detecting section when said electronic watermark detecting section detects said first electronic watermark from said first DCT coefficient (column 8 lines 1-7).

In reference to claim 4, wherein: said electronic watermark inserting section adjusts said insertion intensity of the second electronic watermark so that said insertion intensity of the second electronic watermark is reduced when the detection intensity represented by said detection result is high and that said insertion intensity of the second electronic watermark is increased when the detection intensity represented by said detection result is low (column 8 line 63 to column 9 line 4).

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In reference to claim 6, wherein: said input video signal is any one of a NTSC (National Television System Committee) signal and a PAL (Phase Alternation by Line) signal.

Neither Bloom nor Ikeda disclose a system wherein the input video signal is any one of a NTSC (National Television System Committee) signal and a PAL (Phase Alternation by Line) signal.

At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to input the video in NTSC and PAL signals in the system of Bloom. One of ordinary skill in the art would have been motivated to do this because the system would be able compatible with different countries making it an international system

In reference to claim 7, wherein: said supplying section is a selecting section for selectively supplying said input video signal to said electronic watermark detecting section initially and for selectively supplying said output video signal from said electronic watermark inserting section to said electronic watermark detecting section when said electronic watermark detecting section detects said first electronic watermark from said input video signal (column 6 line 66 to column 7 line 8).

In reference to claim 8, wherein: said electronic watermark inserting section adjusts said insertion intensity of the second electronic watermark so that said insertion intensity of the second electronic watermark is reduced when the detection intensity represented by said detection result is high and that said insertion intensity of the second electronic watermark is increased when the detection intensity represented by said detection result is low (column 8 line 63 to column 9 line 14).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Paula W Klimach whose telephone number is (703) 305-8421.

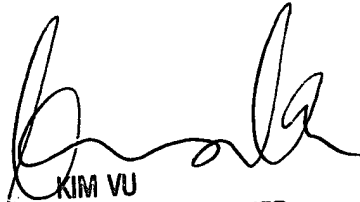
The examiner can normally be reached on Mon to Thr 9:30 a.m to 5:30 p.m.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kim Vu can be reached on (703) 305-4393. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

The 2100 Tech center will move to Carlyle in October 2004. The new telephone number for the receptionist is (571) 272-2100. The examiner's new telephone number will be (571) 272-3854.

Tuesday, September 14, 2004


KIM VU
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100